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GROUP 3700

Appl. No. 10/070,342  
Amdt. dated 3 July 2003  
Reply to Office action of 7-Apr-03

**AMENDMENT and RESPONSE**

In response to the Patent Office examiner's Office Action mailed 07 April 2003, please amend the above-captioned case as follows. The undersigned encourages the examiner to call at a time convenient to the examiner in the event it is believed that a conversation might aid moving prosecution forward. This amendment has been formatted in the revised format pursuant to published notification by the Patent Office signed by Commissioner Godici on 20-Feb-03, as best as can be understood using the SAMPLE FORMAT (Rev. 2/03) accessed at [www.uspto.gov](http://www.uspto.gov).

**Amendments to the Specification** reflecting the examiner's suggestions to make minor editorial modifications begin on page 3 of this correspondence; on page 4 of this correspondence is the ABSTRACT OF THE DISCLOSURE filed with applicant's PCT international application PCT/US00/23874, and included herewith per request by the examiner.

**Amendments to the Claims** included as a listing of claims reflecting the examiner's suggestions to make minor clarification modifications, and the examiner's recommendation to place the allowed claims 8 - 11 in independent form, begins on page 5 of this correspondence.

**No amendments to the drawings** are deemed necessary, please see **Remarks** addressing the examiner's objection to the drawings.

**Remarks/Arguments** begin on page 9 of this correspondence.

F/

JUL 20 2003

Appl. No. 10/070,342  
Amdt. dated 3 July 2003  
Reply to Office action of 7-Apr-03

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael Douglas Spears

Filed: 28 February 2002

Serial No: 10/070,342

Confirm No: 2921

Docket: SPER -100A

For: Tool and Method for Cutting  
Powered by an Electromagnetic (EM)  
Source

Examiner: A. F. Roane

Group Art: 3739

FACSIMILE TRANSMISSION 14 pages total

) I hereby certify under 37 CFR 1.8(a) that a signed original copy  
) of this paper is being sent as authorized by 37 CFR 1.6(d) on  
) the date indicated below via standard telephonic facsimile  
) transmission.

ATTN: Examiner Aaron F. Roane

Amendment to Patent Application

) Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450  
) on

Date of Transmission: 3 rd day of July, 2003By: Jean M Macheledt (printed name)

/jean macheledt/ (E-signature)

NON-FEE Response to Office Communication mailed 07 April 2003

Mail Stop NON-Fee Response  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

FEES

There is **no fee** required for this amendment. However, in the event it is determined that any amount is due as a result of these amendments, any such amount is to be charged to deposit account no. 020725. A duplicate copy of this first page is enclosed, *if required*.

/jean macheledt/  
Macheledt Bales LLP

501 Skysail Drive, Suite B100  
Fort Collins, Colorado 80525-3133  
Attorney for Applicant  
Reg. No. 33,956  
phone: (970) 218-6798

# Fax

Name: Jean Macheledt

Company: Macheledt Bales LLP

Voice Number: (970) 267-8884 / (970) 218-6798

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Fort Collins, Colorado 80525-3072

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03 - July - 03

Date: Thursday, July 03, 2003

Total Pages: 15

Subject: Reponse to Office action 10/070,342

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Name: Examiner Aaron F. Roane

Company: United States Patent Office

Voice Number:

Fax Number: (703) 872-9302

Note: Examiner Roane,

Attached please find our response to your Office action mailed 7-Apr-03. Faxed separately, will be a 2-page Declaration under R Rule 131 along with 7 pages of thesis taken from the provisional application ATTACHMENT B.

Thank you,

Macheledt Bales LLP/Jean Macheledt  
Attorney for Applicant

Copy to client sent 5 - JUL - 03  
Response docketed for Amend  
Examiner's Response mtd

**Jean Macheledt**

7-15-03

Tax to (703) 746-9273

**From:** "Jean Macheledt" <jeanmach@mbj-law.com>  
**To:** "Roane, Aaron" <Aaron.Roane@USPTO.GOV>  
**Sent:** Tuesday, July 15, 2003 9:33 AM  
**Subject:** Re: Unsigned Faxed Amendment for Application No.10/070,342

16 pages total

Will do it'll be coming along this morning – I'll use a print out of this email as a cover sheet. ←

Thanks,

Jean

Macheledt Bales LLP

Tel. 970.218.6798 (direct)

Tel. 970.267.8884 (reception)

fax. 970.267.8893

**\*\*CONFIDENTIAL Attorney-Client Communication\*\***

If you are not an intended recipient, kindly respond to sender of inadvertent transmission and immediately permanently delete this message and any attachment from your system.

Thank you.

Enclosed is  
 another copy of  
 Response  
 pursuant to  
 Examiner Roane's  
 request.

----- Original Message -----

**From:** Roane, Aaron  
**To:** jeanmach@mbj-law.com  
**Sent:** Tuesday, July 15, 2003 8:29 AM  
**Subject:** RE: Unsigned Faxed Amendment for Application No.10/070,342

I spoke with one of the primarys here and he said he's never used (interpreted as the USPTO does not accept) E-signatures. So, I think I'll need you to send another fax. I'm sorry.

Aaron

-----Original Message-----

**From:** jeanmach@mbj-law.com [mailto:jeanmach@mbj-law.com]  
**Sent:** Monday, July 14, 2003 5:08 PM  
**To:** Aaron.Roane@USPTO.GOV  
**Subject:** Re: Unsigned Faxed Amendment for Application No.10/070,342

Examiner Roane,

No problem, will do if you need it.

I'd faxed it directly from my computer -- since it is so long -- and the signature is the E-signature style suggested for TM office actions:

i.e., just above the Macheledt Bales LLP it says: /jean macheledt/

Let me know,

Jean

Macheledt Bales LLP

**Sent:** Monday, July 14, 2003 11:38 AM  
**Subject:** Unsigned Faxed Amendment for Application No.10/070,342

Hello Jean,

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